

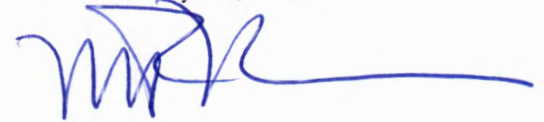
Mot., ECF No. 1, at 3. Filed with the motion is a brief in support and an “affidavit,” which is an unsigned document titled “unfinished draft complaint.” Pl.’s Br. Supp., ECF No. 1-24; aff., ECF No. 1-23, at 2.

Rule 3 of the Federal Rules of Civil Procedure instructs that “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. Rule 4 further requires that, on or after filing the complaint, a summons and a copy of the complaint must be served on each defendant. Fed. R. Civ. P. 4. Here, Richards attempts to initiate this action through a motion, ECF No. 1, and the only document on the docket that resembles a pleading is one that counsel for Richards clearly designates as an “unfinished draft complaint,” which he filed as an “affidavit” in support of his motion for emergency injunctive relief, ECF No. 1-23. Even if Richards intended for that document to serve as his initial pleading, it cannot be accepted by the court as such because it is unsigned. See Fed. R. Civ. P. 11(a).

Accordingly, this action is **DISMISSED without prejudice** pending filing and service of a complaint pursuant to the Federal Rules of Civil Procedure. This action is stricken from the court’s active docket and all pending motions are **DENIED** as moot.

It is **SO ORDERED**.

Entered: May 29, 2024



Michael F. Urbanski
Chief United States District Judge